United Nations S/AC.44/2004/(02)/116/Add.1

Security Council

Distr.: General
10 February 2006

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 5 February 2006 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman of the Committee

With reference to your letter of 5 December 2005, I have the honour to transmit herewith the amendments and additions suggested by my Government to the matrix prepared by the Committee and enclosed in your letter, as well as an update on the legislative measures undertaken (see annex).

Iraq remains, of course, at the Committee's disposal for any additional information.

(*Signed*) Samir Shakir **Sumaida'ie**
Permanent Representative of Iraq

06-24133 (E) 160206 170206

Annex to the letter dated 5 February 2006 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Developments concerning legislative measures taken by Iraq

1. The permanent Constitution was ratified by popular referendum on 15 October 2005 and published in the Iraqi Gazette, issue no. 4012 of 28 December A.D. 2005, corresponding to 27 Dhu'lqa'dah A.H. 1426. Article 9, paragraph 1 (e), provides that "the Iraqi Government shall respect and implement Iraq's international obligations regarding the non-proliferation, non-development, non-production, and non-use of nuclear, chemical and biological weapons and associated equipment, materiel, technologies and delivery systems for use in the development, manufacture, production and use of such weapons".

2. After approval by the National Assembly, the Presidency Council issued the Counter-Terrorism Law (Law No. 13 of 2005). Article 2 defines terrorist acts, and paragraph 7 addresses "the use for terrorist purposes of explosive or incendiary devices that are designed, or have the capability to cause death, or the propagation of terror among the people by means of an explosion or through the release, dissemination, detonation or planting of devices or objects of any kind or the impact of toxic chemicals, biological agents or similar substances, or radioactive materials or toxins".

Amendments and additions

All references to the Law of Administration for the State of Iraq for the Transitional Period of 8 March 2004, article 27 (c), should be deleted and replaced with references to the Constitution of the Republic of Iraq, article 9, paragraph 1 (c), which reads: "the Iraqi Government shall respect and implement Iraq's international obligations regarding the non-proliferation, non-development, non-production and non-use of nuclear, chemical and biological weapons and associated equipment, materiel, technologies and delivery systems for use in the development, manufacture, production and use of such weapons".

4	x	Biological Weapons Convention (BWC)	Ratification and accession in 1991
5	x	Chemical Weapons Convention (CWC)	A special committee formed by the secretariat of the Council of Ministers has recommended that Iraq accede to this Convention; the matter will be submitted to the legislature
6	x	Nuclear Non-Proliferation Treaty (NPT)	Ratification and accession in 1969
7	x	Comprehensive Nuclear-Test-Ban Treaty (CTBT)	Accession is planned
9	x	Hague Code of Conduct (HCOC)	Iraq supports the Code and was one of the sponsors of the relevant resolution adopted at the fifty-ninth session of the United Nations General Assembly

Page 2

10	x	Geneva Protocol of 1925	Ratification and accession in 1931
13	x	Convention on Early Notification of Nuclear Accidents	Ratification and accession in 1988
13	x	Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency	Ratification and accession in 1988
13	x	Partial Nuclear Test-Ban Treaty	Ratification and accession in 1964
13	x	Environmental Modification Convention (ENMOD Convention)	A special committee formed by the secretariat of the Council of Ministers has met to consider the accession of Iraq to the Convention
13	x	Outer Space Treaty	Ratification and accession in 1968
13	x	Seabed Treaty	Ratification and accession in 1972

Page 3 — Biological weapons

1	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
2	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
3	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
4	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
5	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
6	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
7	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
8	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
9	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
10	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
11	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
12	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
13	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7

Page 5 — Chemical weapons

1	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
2	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
3	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
4	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
5	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
6	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
7	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
8	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
9	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
10	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
11	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
12	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
13	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7

Page 7 — Nuclear weapons

1	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
2	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
3	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
4	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
5	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
6	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
7	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
8	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
9	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
10	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
11	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
12	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7
13	x	Constitution — Counter-Terrorism Law (Law No. 13 of 2005), article 2, paragraph 7

Page 8 — Account for/secure/physically protect BW including related materials

1	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
2	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
3	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
4	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
5	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
10	X in place of question mark	
14	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)

Page 11 — Account for/secure/physically protect CW including related materials

1	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
2	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
3	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
4	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
5	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
10	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
14	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
15	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
16	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
17	x	National Monitoring Directorate — Ministry of Science and Technology (Draft Law)
18	x	National Monitoring Directorate — Coalition Provisional Authority (CPA) Decision No. 54

Page 14 — Account for/secure/physically protect NW including related materials

8	x	Immediate punitive measures are taken in case of a confirmed danger resulting from the use of radiation sources
12	x	National Monitoring Directorate — Ministry of Science and Technology
14	x	National Monitoring Directorate — Ministry of Science and Technology
15	X in place of question mark	
16	x	National Monitoring Directorate (authorized agency)

Page 17 — Related matters from OP 6 and OP 10 — Controls of BW including related materials

2	x	Technical support for border control measures — Iraqi Radioactive Source Regulatory Authority The Authority is installing radiation detection equipment along border areas in coordination with the Customs Authority, the Ministries of the Environment, Science and Technology, and the interior/border forces
13	x	National Monitoring Directorate
14	x	National Monitoring Directorate
15	x	National Monitoring Directorate
16	x	National Monitoring Directorate
17	x	National Monitoring Directorate
22	x	National Monitoring Directorate
25		X in place of question mark

Page 21 — Controls of CW including related materials

13	x	National Monitoring Directorate (authorized agency)
14	x	National Monitoring Directorate (authorized agency)
15	x	National Monitoring Directorate (authorized agency)
16	x	National Monitoring Directorate (authorized agency)
17	x	National Monitoring Directorate (authorized agency)
22	x	National Monitoring Directorate (authorized agency)
25		X in place of question mark

Page 25 — Controls of NW including related materials

2	x	Iraqi Radioactive Source Regulatory Authority and related agencies (implementation measures)
13	x	National Monitoring Directorate — Ministry of Science and Technology (implementing agency)
14	x	National Monitoring Directorate — Ministry of Science and Technology (implementing agency)
15	x	National Monitoring Directorate — Ministry of Science and Technology (implementing agency)
16	x	National Monitoring Directorate — Ministry of Science and Technology (implementing agency)
17	x	National Monitoring Directorate — Ministry of Science and Technology (implementing agency)
25	X in place of question mark	